

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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CHRISTIEE A. HOCHSTINE,

Plaintiff,

v.

DECISION AND ORDER  
14-CV-982A

CAROLYN W. COLVIN, Acting  
Commissioner of the  
Social Security Administration,

Defendant.

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The above-referenced case was referred to Magistrate Judge Jeremiah J. McCarthy, pursuant to 28 U.S.C. § 636(b)(1)(B). On September 21, 2016, Magistrate Judge McCarthy filed a Report and Recommendation (Dkt. No. 20), recommending that the Commissioner's motion for judgment on the pleadings (Dkt. No. 16) be denied, that the plaintiff's cross-motion for judgment on the pleadings be granted (Docket No. 9) to the extent it seeks a remand, and that the case be remanded for further proceedings.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge McCarthy's Report and Recommendation, the Commissioner's motion for judgment on the pleadings is denied, the plaintiff's cross-motion for judgment on the pleadings is granted to the extent it seeks a remand, and the case is remanded to the Acting Commissioner for further proceedings.

The Clerk of Court shall take all steps necessary to close the case.

IT IS SO ORDERED.

*Richard J. Arcara*

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HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT COURT

Dated: October 26, 2016